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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,357	12/21/2001	Charles Francois Leblanc	MART0780US	8074

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NEW YORK, NY 10022

EXAMINER

HEWITT, JAMES M

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/026,357

Applicant(s)

LEBLANC, CHARLES FRANCOIS

Examiner

James M Hewitt

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 9, 10, 13-21, 25, 26, 30-34, 37-41, 44, 47, 48, 51, 53-57 and 60 is/are pending in the application.
- 4a) Of the above claim(s) 14, 15, 25, 53, 54 and 60 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 1-3, 9-10, 13, 16-21, 38-41, 44, 47-48, 51, 55-57 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Election/Restrictions

Claims 14-15, 25, 53-54 and 60 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 9.

Claim Objections

Claims 1-3, 9-10, 13, 16-21, 38-41, 44, 47-48, 51, and 55-57 are objected to because of the following informalities:

In claim 1 line 17, "a" should be inserted before "continuous".

Claims 9, 10, 13 and 19, are not in accord with claim 1. Claim 1 recites "wherein said inside peripheral face is fastened to said outside peripheral face by annular adhesive between them".

In claim 13 line 4, should "transverse dimension" be "thickness"?; "transverse dimension" should be clarified.

In claim 17 lines 3-4, the phrase "also form a transverse projection relative to" should be deleted, and "serve" should be replaced with "serves" on line 3, to better clarify the claim.

In claim 19 line 3, the phrase "of the ferrule" should be inserted between "face" and "and".

In claim 38 line 1, "pipe" should be replaced with "pipe, the pipe" to better clarify the claim.

In claim 38 line 35, "a" should be inserted before "continuous".

In claim 38 line 36, the phrase "the initial step and" should be deleted for clarity.

In claim 51 lines 4-5, the phrase "and a localized zone of said inside peripheral face" should be deleted so as to be in accord with claim 38.

In claim 51 lines 12-14, the phrase "wherein said adhesive...fasten them together" should be deleted so as to be accord with claim 38.

Claim 51 is drawn to the second ring of adhesive (53) that is to be deposited on the gasket or film. The Examiner also urges Applicant to review this claim in its entirety to ensure that it is in accord with claim 1, and accurately describes the invention.

Appropriate correction is required.

Allowable Subject Matter

Claims 1-3, 9-10, 13, 16-21, 38-41, 44, 47-48, 51, and 55-57 are objected to (see ***Claim Objections*** above) but would be allowable if rewritten to overcome these objections.

Response to Arguments

Applicant's arguments, filed 4/8/04, have been fully considered and are persuasive. In view of Applicant's arguments, and re-evaluation of the claims in view of the prior art, the 103 rejections have been withdrawn.

Conclusion

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

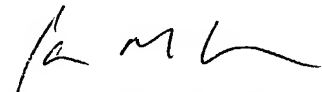
A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hewitt whose telephone number is 703-305-0552. The examiner can normally be reached on M-F, 930am-600pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3679

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James M. Hewitt
Patent Examiner
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